

Honorable Judge Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WARK ENTERPRISES LLC, WARK) Case No. 3:10 – CV - 05166 RJB
DEVELOPMENT CO., INC., SCOTT)
COMBS DEVELOPMENT LLC, BRUCE)
N. WARK and SCOTT COMBS)

Plaintiffs,) AGREED ORDER OF DISMISSAL
v.) WITHOUT PREJUDICE

FEDERAL DEPOSIT INSURANCE)
CORPORATION (“FDIC”), as Receiver for)
the Bank of Clark County, and)
MULTIBANK 2009-1 RES-ADC)
VENTURE, LLC, a Delaware limited)
liability company)

Defendants.)

AGREED ORDER OF DISMISSAL WITHOUT PREJUDICE

Pursuant to FRCP 41(a)(1)(A)(ii) and in accordance with the Parties’ Stipulation and Joint Motion for Voluntary Dismissal Without Prejudice, it is hereby ORDERED that any and all claims that Plaintiffs Wark Enterprises LLC, Wark Development Co., Inc., Scott Combs Development LLC, Bruce N. Wark and Scott Combs have asserted against all Defendants in this lawsuit are

1 hereby dismissed in their entirety, without prejudice, with each Party to bear its own attorney's fees
2 and costs.

3 The Clerk of the Court is hereby directed to close this action.
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5 DATED this 20th day of January, 2011.
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9 ROBERT J. BRYAN
United States District Judge
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